

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS			
<p>INTERNATIONAL BUSINESS MACHINES CORP.</p> <p>Plaintiff,</p> <p>vs.</p> <p>TELEX CORPORATION AND TELEX COMPUTER PRODUCTS, INC.</p> <p>Defendants.</p>				<p>For plaintiff:</p> <p>Wm. D. Hunt <i>Freeman Rucker</i> Rucker, Tabor, McBride & Hopkins P.O. Box 1439 Tulsa, Oklahoma 74101 587-3361</p> <p>For defendant:</p> <p>Paul H. Johnson 424 Beacon Bldg. Tulsa, Oklahoma 74103 584-4187</p> <p>J. B. Bailey 6422 E. 41st St. Tulsa, Oklahoma 74135 918 627-2333</p>			
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 2-1-73	Clerk		1973				
			1-30	Hunt	15.00		
			2-1	CD 34		15.00	
J.S. 6 mailed 4-1-78	Marshal						
Basis of Action: Failure to Comply with Obligations of Agreement.	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-30-73	Complaint filed and summons issued. ds	
1-30-73	Pltf's first set of interrogatories to deft.s, filed. ds	
1-30-73	Attys' affirmation of service, filed. ds	
2-9-73	U.S. Marshal's return on service, filed. Served complaint and interrogatories on Telex Corp. and Telex Computer Prod., Tulsa, 2-1-73, served Corp. Trust Co., O.C., 2-2-73. (USM \$21.92)g	
2-27-73	Deft.'s first set of interrogatories to pltf., filed. ds	
2-27-73	Deft.'s motion for extension of time to answer complaint, filed. ds	
2-27-73	Deft.'s memorandum brief in support, filed. ds	
2-27-73	Order re extension of time to answer, filed.	
2-28-73	Deft.s' Mot. for extension of time within which to ans. pltf.'s complaint, filed. jj	
2-28-73	Order Re Extension of time to ans. pltf.'s complaint until 3-18-73, filed. (JCS-CC)jj	
3-12-73	Pltf's Memorandum Brief in Opposition to Deft's Mtn. for Extension of time, filed. jj <i>Copy to 7-1-1-1-1</i>	
3-16-73	Defts' answers to pltf's first set of interrogatories, filed. hm	
3-19-73	Answer of defts. to complaint, filed. (with first and second counterclaim)	
3-26-73	Notice of deposition of Info. Storage Systems in Calif. on 4/5/73 by pltf., filed. rm	
4-2-73	Pltf.'s Answers & Objections to Deft.s' First Set of Interrogatories, filed. v	
4-6-73	Order filed that mot of defs for extension of time to answer is overruled as moot.(AEB-J)h -copies mailed-	
4-9-73	Pltf's Reply to Deft's Counterclaims, filed.jj	
4-9-73	Pltf's Mtn to Strike, filed. jj	
4-9-73	Memorandum Brief in Support of Pltf's Mtn to Strike Counterclaims, filed. jj	
4-9-73	Ordered by the Court that defendant is granted 10 days from this date in which to respond to plaintiff's Motion to Strike Counterclaims. (AEB-J)jj <i>letter mailed</i>	
4-9-73	Atty's Affirmation of Service, filed. jj	
4-11-73	Pltf's Memorandum in Support of its Obj. to Defts' Interrogatories, filed.jj	
4-13-73	Defendants' motion for extension of time (20 days) in which to respond to plaintiff's motion to strike counterclaims filed. (Order to AEB)h	
4-13-73	Def's memorandum brief in support of above motions. h	
4-19-73	Pltf.'s Memorandum Brief in opposition to Deft.s' Mot. for Extension time, filed. v	

(Contd)

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-20-73	Order ext. time to 5/9/73 for defs. to respond to pltf. mo/strike, (AEB-J)rm	<i>Copies made</i>
4-23-73	Pltf's Amendment to Pltf's Answers and Objections to Defts' First Set of Interrogatories, filed. jj	
4-25-73	Deft.s' Motion for Protective Order Under Rule 26(c), filed. v	
4-25-73	Brief in support, filed. v -order to Judge.	
4-25-73	Ordered by the Court that Pltf. is granted 10 days from this date to respond to Deft.'s Motion for Protective Order Under Rule 26(c). (AEB-J)v	
5-4-73	Brief of Plaintiff in Opposition to Defts' Motion for Protective Order, filed. jj	
5-4-73	Notice of pltf. of Deposition, filed. jj	
5-7-73	Defts' Brief in Opposition to Plt's Motion to Strike Defts' First Counterclaim, filed. jj	
6-15-73	Notice of taking depositions by pltf., filed. rm	
6-21-73	Deposition of Ransom F. Olds, taken 4-5-73 by Obujen & McCutcheon, Palo Alto, Cal. filed. ds	
6-21-73	Defts' Mtn. for Protective Order under Rule 26(c) with Affidavit of J.B. Bailey and Brief in Support of Defendants' Mtn. for a Protective Order attached, filed. jj	
6-21-73	Supplement to defendant's motion for protective order under rule a6(c) and Rule 30(d), filed. ds	
6-21-73	Supplemental brief in support of defendant's motion for protective order, filed. ds	
6-21-73	Ordered by the Court that plaintiff respond to defendant's motion and supplement thereto, for a protective order, within ten days of this date. (AEB-J) ds	
6-21-73	Response to Defts' Mtn. for Protective Order, filed. jj	
6-21-73	Response to Supplement to Defts' Mtn. for Protective Order, filed. jj	
6-25-73	<u>Minute Order</u> : It is ordered that defendants' motion for protective order is sustained and the depositions noticed by the plaintiff to commence June 26, 1973 at Palo Alto, California, be stayed for a period of 15 days. (AEB-J)rm - ltr written	
6-26-73	<u>Minute Order</u> : The Court having been advised by attorney for pltf. that an agreement has been made between the parties with reference to the depositions covered by the minute order entered by the Court on 6/25/73, IT IS ORDERED that the Motion for Protective Order filed by def.is now moot. (AEB-J)rm - ltr written	
7-10-73	Stipulation and Protective Order Regarding Production of Documents, filed. (AEB-J)v -copies mailed.	
10-25-73	Notice to take deposition of Harry Ashbridge filed by IBM. h	
11-26-73	Notice to take deposition of Telex Corp and Telex Computer Products, Inc., filed. jj	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-17-74	Notice of Deposition of Telex thru officers or etc., to be taken on 2-4-74, at Rucker, Tabor, et al, in Tulsa, filed. v	
1-22-74	Pltf's Notice To Take Deposition filed. e	
1-24-74	Pltf.'s First Suppl. to its answers to Defts' First Set of Interrogatories, filed. v	
3-25-74	Notice to take deposition of Richard L. Martin, filed. v	
3-25-74	Notice to take deposition of Jack S. James, filed. v	
6-7-74	Pltf's second supplement to its answers to defts' first set of interrogatories, filed. hm	
6-12-74	Pltf's notice to take deposition of defts. on 7-9-74 at 10:00 a.m., filed. LM	
1-22-75	Pltf's First Request for Admissions, filed. lm	
1-22-75	Pltf's Second Set of Interrog. to defts., filed. lm	
1-31-75	Atty. Wm. D. Hunt's Affidavit of service of pltf's first request for admissions & Pltf's second set of interrog. to defts. on 1-27-75, filed.k	
2-5-75	Order, filed, overruling pltf's motion to strike. (AEB-J)k cps mld	
2-20-75	Stipulation of continuance to answer cross-petition, filed. g to g	
2-21-75	MO: Ordered by Court that Stip. for Continuance is granted; pltf. granted 30 days from 2-18-75, or until 3-20-75, to answer Cross-Petition. Defts. granted 30 days from 2-18-75 to respond to Pltf's First Request for Admissions and Pltf's Second Set of Interrogatories. -Allen E. Barrow, Judge, by M. Culver, Law Clerk. g mld	
3-13-75	MO: Parties are directed to hold a PT conf. on or before 4-24-75 & file a PT Order on or before 5-1-75. (AEB-J)k cps by cert ml	
3-21-75	Case set for Non-Jury trial on 6-9-75, at 10:00 AM. (AEB-J)b nts mld	
4-22-75	Joint Appl. for continuance in re pretrial conference and trial date, filed. v (o)	
4-23-75	Order, filed, staying and continuing case from PT & trial docket until further Order of the Court. (AEB-J)k cps mld.	
1978		
1-13	MO: Case set for report to the Court on status of case on 2-1-78 at 10:00 a.m. (AEB-J)k cps by cert ml	
1-23	MO: IT IS ORDERED that this case is stricken from disposition docket set for 2-1-78. IT IS FURTHER ORDERED that parties report in writing to Court on or before 3-1-78, as to settlement in this action. IT IS FURTHER ORDERED that failing advice that this case is settled, that Court will entertain a motion to set aside the abatement in this case.(AEB-J)b nts mld	
2-23	MO: Parties given until 3-3-78 to file settlement papers. (AEB-J)k	nte by me
3-3	Agreement of settlement and mutual release, together with two agreements dated 1/1/78 between Telex & IBM, filed and sealed. To be opened only by order of the Court. (AEB-J)rm	
3-3	Stipulation of dismissal w/prej., filed. rm (O to J)	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF	DEFENDANT	DOCKET NO. _____
IBM	Telex	PAGE ____ OF ____ PAGES

DATE 1978	NR.	PROCEEDINGS
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3-3

Order, filed & entered that cause and counterclaims are dismissed
w/ prejudice, w/ no costs to be paid by the parties to each other.
(AEB-J)k cps mld

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF

DEFENDANT

DOCKET NO. _____

PAGE ____ OF ____ PAGES

DATE

NR.

PROCEEDINGS